

SLR 05/17/04 7013-60993-01 278744

PATENT
Attorney Reference Number 7013-60993-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Santosh Misra and William W. Kay

Application No. 09/936,885

Filed: September 17, 2001

Confirmation No. 2898

For: TRANSGENIC PLANTS THAT ARE
RESISTANT TO A BROAD SPECTRUM
OF PATHOGENS

Examiner: David H. Kruse

Art Unit: 1638

Attorney Reference No. 7013-60993-01

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP AMENDMENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Attorney
for Applicant(s)

Date Mailed May 17, 2004

MAIL STOP AMENDMENT
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

TRANSMITTAL LETTER

Enclosed is an Amendment and Response to Office Action, Declaration Under § 1.132 of Santosh Misra, Ph.D., Declaration Under 1.132 of Robert E.W. Hancock, Ph.D., an Abstract on a separate page, a Sequence Listing (11 pages paper copy and diskette), and a Statement in Compliance for the above application. The fee has been calculated as shown below.

CLAIMS AS AMENDED

For	No. after amendment	No. paid for previously	Present Extra	Rate	Fee
Total Claims	35	- 20*	= 15	\$9.00	\$135.00
Indep. Claims	5	- 7**	= 0	\$43.00	\$0.00
Mult. Dep. Claims Fee (if not previously paid)				\$145.00	\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$135.00

* greater of twenty or number for which fee has been paid.

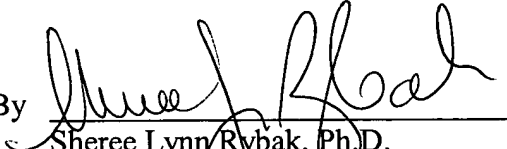
** greater of three or number for which fee has been paid.

☒ A check in the amount of \$135.00 is attached.

- ☒ Please charge any additional fees that may be required in connection with filing this amendment and any extension of time, or credit any overpayment, to Deposit Account No. 02-4550. A copy of this sheet is enclosed.
- ☒ Please return the enclosed postcard to confirm that the items listed above have been received.

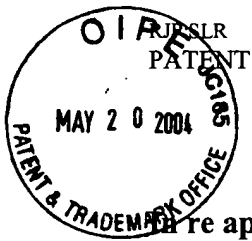
Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By 
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AMENDMENT AND RESPONSE TO OFFICE ACTION

This responds to the Office action dated February 17, 2004. A three-month period for response was set, making a reply due by May 17, 2004. Please amend the referenced application as follows:

Amendments to the Specification begin on page 2.

Amendments to the Claims are reflected in the listing of claims, which begins on page 7.

Remarks begin on page 12 ..

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